



REGISTRAR OF REGULATIONS

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## COMMONWEALTH of VIRGINIA

*Department of Health*  
*DIVISION OF SHELLFISH SANITATION*  
109 Governor Street, Room 614-B  
Richmond, VA 23219

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### NOTICE AND DESCRIPTION OF SHELLFISH AREA CONDEMNATION NUMBER 054-021, BACK RIVER

**EFFECTIVE 2 JUNE 2004**

Pursuant to Title 28.2, Chapter 8, §§28.2-803 through 28.2-808, §32.1-20, and §9-6.14:4.1, B.16 of the *Code of Virginia*:

1. The "Notice and Description of Shellfish Area Condemnation Number 21, Back River," effective 15 May 2003, is cancelled effective 2 June 2004.
2. The "Notice and Description of Shellfish Area Condemnation Number 193, Back River: Front Cove," effective 28 June 1999, is cancelled effective 2 June 2004.
3. The shellfish condemnation area Number 054-021, Back River, is established, effective 2 June 2004. As to Sections A, B, C, D and E; it shall be unlawful for any person, firm, or corporation to take shellfish from these areas for any purpose, except by permit granted by the Marine Resources Commission, as provided in § 28.2-810 of the *Code of Virginia*. The boundaries of these sections are shown on the map titled "Back River, Condemned Shellfish Area Number 054-021, 2 June 2004" which is part of this notice.
4. The Department of Health will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this order.

#### **BOUNDARIES OF CONDEMNED AREA NUMBER 054-021**


- A. The condemned area shall include all of Front Cove and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°06'26.3", -76°19'07.5") and map coordinate (37°06'37.1", -76°18'58.7").
- B. The condemned area shall include all of Watts Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°06'50.8", -76°21'09.8") and map coordinate (37°06'47.3", -76°21'04.5").
- C. The condemned area shall include all of the Northwest Branch of Back River and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°06'40.6", -76°22'03.7") and map coordinate (37°06'52.4", -76°21'33.1").



[www.vdh.virginia.gov/shellfish](http://www.vdh.virginia.gov/shellfish)

- D. The condemned area shall include all of Tabbs Creek and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°06'19.4", -76°21'52.9") and map coordinate (37°06'15.8", -76°21'42.5").
- E. The condemned area shall include all of the Southwest Branch of Back River and its tributaries lying upstream of a line drawn between latitude/longitude map coordinate (37°05'24.3", -76°20'12.4") and map coordinate (37°05'29.6", -76°19'29.9").

Recommended by:

  
\_\_\_\_\_  
Director, Division of Shellfish Sanitation

Ordered by:

  
\_\_\_\_\_  
State Health Commissioner

5/19/04  
\_\_\_\_\_  
Date

City of Poquoson

Virginia Department of Health  
Back River  
Condemned Shellfish Area Number 054-021  
2 June 2004

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Feet

